Application No.: 10/573,639 Docket No.: 12810-00231-US

Amendment dated September 18, 2008 Reply to Office Action of April 9, 2008

AMENDMENTS TO THE CLAIMS

Listing of Claims:

1. (Currently amended) A process for the mutagenesis of a double-stranded polynucleotide sequence (master sequence) of n base-pairs having a (+)-strand and a complementary (-)-strand comprising the steps

- (i) creating a collection of single-stranded fragments of the (+)-strand of the master sequence wherein all members of the collection have the same 5'-terminus and have a deletion in the 3'-terminus such that the collection represents (+)-strands with a length of n-1, n-2, n-3, nucleotides;
- (ii) introducing at least one universal or degenerate nucleotide at the 3'-terminus of the (+)-strands produced in step (i);
- (iii) elongating the (+)-strands produced in step (ii) to the full length of the master sequence using the (-)-strand or fragments thereof as a template strand for the elongation; and
- (iv) synthesizing a (-)-strand by using the (+)-strand produced in step (iii) as a template strand thereby effecting mutations in the (-)-strand at the positions of the previous universal or degenerate nucleotides compared to the master sequence.
- 2. (Currently amended) [[A]] The process according to of claim 1, wherein the collection of single-stranded fragments in step (i) is created by incorporating nucleotide analogs and subsequent cleavage in alkaline or acidic solution.
- 3. (Currently amended) [[A]] <u>The process according to of claim 2</u>, wherein the nucleotide analog is an alpha-phosphothioate nucleotide and oxidative cleavage is achieved by iodine at the phosphothioate bonds.
- 4. (Currently amended) [[A]] <u>The process according to of claim 1</u>, wherein step (ii) comprises the elongation of the collection of single stranded fragments produced in step (i) with universal base or degenerate base by enzymatic or chemical methods.
- 5. (Currently amended) [[A]] <u>The</u> process according to of claim 4, wherein terminal deoxynucleotidyl transferase or DNA polymerases or DNA/RNA ligases are used for elongation.

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6. (Currently amended) [[A]] The process according to of claim 1, wherein deoxyinosine, 3-nitropyrrole, 5-nitroindole or a nucleotide analog with promiscuous base pairing property is used as a universal nucleotide in step (ii).

- 7. (Currently amended) [[A]] <u>The process according to of claim 1, wherein N⁶-methoxy-2,6-diaminopurine (K), N⁶-methoxy-aminopurine (Z), hydroxylaminopurine (HAP), 2'-deoxyribonucleoside triphosphate (dyTP), 6H,8H-3,4-dihydropyrimidol [4,5-c][1,2] oxazin-7-one (P), N⁴-aminocytidine, N⁴-hydroxy-2'-deoxycytidine, N⁴-methoxy-2'-deoxycytidine, 8-oxodeoxy-guanosine triphosphate (8-oxo-G) or a nucleotide analog with promiscuous base pairing property is used as degenerate nucleotide in step (ii).</u>
- 8. (Currently amended) [[A]] <u>The process according to of claim 1</u>, wherein an oligonucleotide of the general formula

$p(U)_a(N)_b*(S)_c[TERM]$

with

p = 5'-phosphate or hydroxy-group or any chemical group capable of forming diester bonds

U = universal or degenerate bases

a = arbitrary integral number from 0 to 10000

N = mixture of four bases (A/T/G/C (standard nucleotides))

b = arbitrary integral number from 0 to 100

* = cleavable group such as phosphothioate bonds in phosphothioate nucleotides

S = standard nucleotide or nucleotide analog

c = arbitrary integral number from 0 to 100

[TERM] = a dye terminator or any group preventing elongation of the oligonucleotide, with the proviso that a+b>0,

is used in step (ii) to introduce universal or degenerate bases to the collection of single-stranded fragments created in step (i).

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9. (Currently amended) [[A]] The process according to of claim 8, wherein the oligonucleotide is designed in a way that

- (a) stop codons and/or
- (b) amino acids which disrupt secondary structures, are avoided in the collection of the mutagenized polynucleotide sequences.
- 10. (Currently amended) [[A]] <u>The process according to of claim 8</u>, wherein the oligonucleotide is designed in a way that
 - (a) transition mutations or
 - (b) transversion mutations,

are effected in the collection of the mutagenized polynucleotide sequences.

- 11. (Currently amended) [[A]] <u>The process according to of claim 8</u>, wherein the single-stranded fragment created in step (i) which is not ligated with the oligonucleotide is removed using exonuclease.
- 12. (Currently amended) [[A]] <u>The process according to of claim 1, wherein the elongation in step (iii) is effected by a PCR reaction.</u>
- 13. (Currently amended) [[A]] <u>The process according to of claim 1</u>, wherein step (iii) comprises the synthesis of a (-)-single stranded plasmid polynucleotide sequence from a double-stranded plasmid harboring the master sequence using a primer which anneals downstream of the (+)-strand of the master sequence, and annealing of this (-)-[[ss]]<u>single stranded-plasmid</u> polynucleotide sequence with the (+)-strand produced in step (ii), and elongation of the (+)-strand.
- 14. (Currently amended) [[A]] <u>The process according to of claim 1</u>, wherein step (iii) comprises the synthesis of a (-)-single-stranded plasmid harboring the master sequence using a primer which anneals downstream of the (+)-strand of the master sequence in the presence of uracil and standard nucleotides and after the elongation of the (+)-strand produced in step (ii), the uracil carrying (-)-single-stranded plasmid is digested with uracil glycosylase.
- 15. (Currently amended) [[A]] <u>The process according to of claim 1</u>, wherein a PCR amplification is used after step (iii) in order to synthesize a (-)-strand complementary to the (+)-

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strand produced in step (iii), thereby effecting a double-stranded master sequence carrying mutations.

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